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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/703,497	10/31/2000	Anders Borgstrom	34650-566PT	2954

7590 06/23/2004

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EXAMINER

CHOW, DOON Y

ART UNIT	PAPER NUMBER
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2675

DATE MAILED: 06/23/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/703,497

Applicant(s)

BORGSTROM ET AL.

Examiner

Dennis-Doon Chow

Art Unit

2675

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/20/04</u> <u>15</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 5, 9, 10, 20 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sekendur (5852434) in view of Tuli (6348914) and Kawaguchi et al. (6448959).

Sekendur discloses a pen FIG. 7 for reading positional data FIGS. 1a-2 from a specially formatted surface FIG. 1. Optical detector 19 is disclosed within the pen. In col. 5, lines 36-39, it is disclosed that during the process of writing, the surface is scanned, data is sent to a computer through a cable for storing and analyzing, and output to a screen. Sekendur further discloses a writing means for writing handwritten characters (Fig. 3), and a pressure sensor (10, Fig 6-7).

Sekendur does not explicitly disclose using the pressure sensor for detecting a contact between the electronic reading device and the specially formatted surface.

Tuli teaches an electronic pen device comprising a pressure sensor for detecting a contact between the electronic pen device and a writing surface (see abstract).

It would have been obvious to one of ordinary skill in the art to use Tuli's teachings in Sekendur's invention because the pressure sensor allows the pen to be

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turned on automatically when the pen is in use and off automatically when the pen is not in use.

The modified Sekendur does not explicitly disclose using the pressure sensor for selecting a location on the surface in response to a detected force greater than a predetermined threshold force.

Kawaguchi, in the same input field, discloses the use of a pressure sensor (col. 2, lines 17-23; col. 5, line 67 to col. 6, line 1) for selecting a location on a surface in response to a detected force greater than a predetermined threshold force.

In light of Kawaguchi, it would have been obvious to one of ordinary skill in the art to use Kawaguchi's concept in the invention of the modified Sekendur. This would have been obvious because it allows that the user to select a desired location on the surface easily and rapidly.

3. Claims 1-10, 14-20 and 23-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wolff et al (GB 2306669) in view of Sekendur (5852434), Tuli and Kawaguchi et al.

Wolff discloses a method and system for entering data using an electronic reading device, comprising: an optical detector for detecting a position on a surface (Fig. 7); a wireless transmitter for transmitting data related the detected position (Fig. 5); and a separate electronic device for receiving the transmitted data and for performing a function corresponding to the transmitted data (Fig. 5). Wolff further discloses the device is used for entering text/handwriting information. Wolff further discloses the

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device can be used as a pointer or a mouse for navigating a display image (page 25, line 21 to page 26, lines 2), which inherently includes a menu. Wolff further discloses using a calendar manipulation form (page 6, lines 6-7), and an email form/phonebook manipulation form (page 6, lines 21 to page 7, line 7).

Wolff differs from these claims in that Wolff does not disclose detecting a predefined address pattern on a specially formatted surface.

Sekendur, in the same inputting field, discloses an optical detector for detecting a position on a specially formatted surface by detecting a predefined address pattern on the specially formatted surface.

It would have been obvious to one ordinary skill in the art to substitute Seeder's optical detector means for Wolff's optical detector means. This would have been obvious because Seeder's optical detector means is a very simple detecting device, and Wolff teaches that many different detecting devices can be used (see Figs. 7-9).

The modified Wolff does not explicitly disclose using the pressure sensor for detecting a contact between the electronic reading device and the specially formatted surface.

Tuli teaches an electronic pen device comprising a pressure sensor for detecting a contact between the electronic pen device and a writing surface (see abstract).

It would have been obvious to one of ordinary skill in the art to use Tuli's teachings in the invention of the modified Wolff because the pressure sensor allows the pen to be turned on automatically when the pen is in use and off automatically when the pen is not in use.

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The modified Wolff does not explicitly disclose using the pressure sensor for selecting a location on the surface in response to a detected force greater than a predetermined threshold force.

Kawaguchi, in the same input field, discloses the use of a pressure sensor (col. 5, line 67 to col. 6, line 1) for selecting a location on a surface in response to a detected force greater than a predetermined threshold force.

In light of Kawaguchi, it would have been obvious to one of ordinary skill in the art to use Kawaguchi's concept in the invention of the modified Wolff. This would have been obvious because it allows that the user to select a desired location on the surface easily and rapidly.

4. Claims 11-13, 21-22 and 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wolff in view of Sekendur, Tuli and Kawaguchi et al. as applied to claims 1-10, 14-20 and 23-30 above, and further in view of Schiller et al. (6577299).

Wolff further discloses using a facsimile system for receiving and executing the data (page 6, line 21). Wolff does not disclose the using a mobile phone.

Schiller discloses using a mobile phone for receiving, executing and faxing data information (see Fig. 21, col. 12, lines 5-22).

It would have been obvious to one ordinary skill in the art use Schiller's mobile phone in Wolff's facsimile system because of the well-recognized benefits of using a mobile phone over a land line phone.

Response to Arguments

5. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.


Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis-Doon Chow whose telephone number is 703-305-4398. The examiner can normally be reached on 8:30-6:00, Alternate Monday off.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

D. Chow
June 22, 2004


DENNIS-DOON CHOW
PRIMARY EXAMINER